

REMARKS

Claims 1-17 and 19-26 are pending in the application.

Claims 1-17 and 19-26 have been rejected.

Claims 1 and 14 have been amended as set forth herein.

Claims 1-17 and 19-26 remain pending in this application.

Reconsideration of the claims is respectfully requested.

I. CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, and 6-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,792,286 to *Bharath, et al.*, hereinafter “Bharath” in view of U.S. Patent No. 5,490,252 to *Macera, et al.*, hereinafter “Macera”. Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Macera and in view of U.S. Patent No. 5,995,851 to *Lim*, hereinafter “Lim”. Claims 3, 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Macera and in view of U.S. Patent No. 5,603,095 to *Uola*, hereinafter “Uola”. Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Macera and in view of U.S. Patent No. 6,836,546 to *Willer*, hereinafter “Willer”. Claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Lim and in view of Macera. Claims 14, 16, 17 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Uola and in view of Macera. Claims 25 and 26 were

rejected under 35 U.S.C. § 103(a) as being unpatentable over Bharath in view of Macera and in view of Uola, and in view of Willer. The Applicants respectfully traverse the rejections.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-125 (8th ed. rev. 5, August 2006). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Amended independent Claim 1 recites a subscriber access device that includes a first circuit, where the first circuit includes at least one of a data interface and a voice interface. The subscriber access device also includes a mezzanine interface separate from the first circuit, where the mezzanine interface is capable of receiving a removable module that provides at least one of additional voice lines and an additional data communications path. The Applicants submit that the cited references fail to describe such a subscriber access device.

Bharath describes a wireless subscriber unit and, in Figures 4a and 4b, shows a unit that includes various modules coupled to a single bus. However, as the Examiner acknowledges, Bharath fails to describe an interface capable of receiving a removable module. The Examiner, interpreting the recitation of a “mezzanine interface” as simply an interface to which a removable module is connected, asserts that Macera describes a broadband enterprise switch having a mezzanine interface at column 5, line 65, through column 6, line 21. The Applicants respectfully submit that Macera, like Bharath, describes a single bus device to which processing modules and network interface modules are connected—however, in Macera, the network modules may be connected to the bus by being inserted into a backplane of the switch.

As such, the cited references separately describe a device having fixed modules connected by a bus (Bharath) and a device having both fixed and removable modules connected by a bus, where the removable modules are plugged into a backplane to connect to the bus (Macera). The Applicants respectfully submit that neither Bharath, Macera, nor the combination of Bharath and Macera describes a device that includes a first circuit having at least one of a data interface and a voice interface, and a mezzanine interface separate from the first circuit, where the mezzanine interface is capable of receiving a removable module that provides at least one of additional voice lines and an additional data communications path, as recited in amended independent Claim 1. The Applicants respectfully submit that Lim, Uola and Willer do nothing to overcome the shortcomings of Bharath and Macera.

For at least these reasons, amended Claim 1 is patentable over the cited references. Amended independent Claim 14 recites limitations analogous to the novel and non-obvious limitations in Claim 1 emphasized above and, therefore, amended Claim 14 also is patentable over the cited references. Claims 2-13 depend from Claim 1 and Claims 15-17 and 19-26 depend from Claim 14, and include all the limitations of their respective base claims. Therefore, Claims 2-13, 15-17 and 19-26 are patentable over the cited references.

Accordingly, the Applicants respectfully request that the Examiner to withdraw the § 103 rejections of Claims 1-17 and 19-26.

CONCLUSION

As a result of the foregoing, the Applicants assert that the remaining claims in the Application are in condition for allowance, and respectfully requests that this Application be passed to issue.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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Date: Dec. 26, 2007



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